UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF MISSISSIPPI

IN RE: ROBERT JOELY WHITE CASE NO. 17-50600-KMS

DEBTOR(S) CHAPTER 11

UNITED STATES TRUSTEE'S OBJECTION TO DEBTOR'S CLAIMED EXEMPTIONS

COMES NOW Henry G. Hobbs, Jr., Acting United States Trustee for Region 5 ("UST"), by and through undersigned counsel, pursuant to Fed. R. Bankr. P. 4003(b), and files his Objection to the Debtor's Claimed Exemptions, and in support thereof respectfully submits the following:

- 1. On March 28, 2017, Debtor Robert Joely White filed a voluntary chapter 11 petition for relief. The Debtor is *pro se*. The Debtor filed his schedules and statements on May 2, 2017. DKT. #51. The schedules included Schedule C that lists "The Property Claimed as Exempt." *Id*.
 - 2. The UST concluded the § 341 meeting of creditors on May 10, 2017. DKT. #62.
- 3. The Debtor has a duty to liquidate all non-exempt assets for the benefit of his creditors.
- 4. Miss. Code Ann. § 85-3-1 and § 85-3-21 set forth the exemptions claimed in Mississippi, an opt-out state from the federal exemption statute under 11 U.S.C. § 522.
- 5. Miss. Code Ann. § 85-3-1(a) limits exemptions for tangible personal property to a cumulative value of \$10,000 per Debtor. The UST calculates that the Debtor's total claimed exemption amount for tangible personal property exceeds \$10,000.

6. The exemption for tangible personal property also includes a one-firearm limit on household goods.

WHEREFORE, PREMISES CONSIDERED, the United States Trustee prays that the Court will sustain the objection and require the Debtor to amend Schedule C to address the UST's objections and to comply with the applicable exemption statutes. The United States Trustee also prays for all general relief to which entitled in these premises.

RESPECTFULLY SUBMITTED, this the 25th day of May, 2017.

HENRY G. HOBBS, JR. Acting United States Trustee Region 5, Judicial Districts of Louisiana and Mississippi

By: <u>/s/Christopher J. Steiskal, Sr.</u> CHRISTOPHER J. STEISKAL, SR.

CHRISTOPHER J. STEISKAL, SR. (MSB #101654) TRIAL ATTORNEY U.S. DEPARTMENT OF JUSTICE OFFICE OF THE U.S. TRUSTEE, REGION 5 501 EAST COURT STREET, SUITE 6-430 JACKSON, MISSISSIPPI 39201

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served this day on the below named individual(s) via first class U.S. Mail at the address listed below or by Notice of Electronic Filing via the email address on file with the Court's CM/ECF system:

Robert Joely White 19668 Eagle Cove Gulfport, MS 39503 Email: joelywhite@yahoo.com

DATED, this the 25th day of May, 2017.

/s/Christopher J. Steiskal, Sr. CHRISTOPHER J. STEISKAL, SR.